

Planning Commission Hearing Minutes

Date: December 9, 2019

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Ron Burns – Vice Chair Kelly Russell – Alderman & Secretary Joan Strawson Dorothy Menelas		Gabrielle Collard, Division Manager of Current Planning Scott Waxter, Assistant City Attorney Tierre Butler, City Planner Pam Reppert, City Planner Jessica Murphy, Administrative Assistant Cherian Eapen, City Traffic Engineer

I. CALL TO ORDER:

II. ANNOUNCEMENTS:

Ms. Collard made the following announcements about upcoming events and opportunities:

- Tierre Butler's last day with the Planning Department will be Thursday, December 12, 2019.
- The Planning Departments DRC Meetings and Submittal Deadline will be December 20, 2019 due to the holiday.
- Materials for the December 16, 2019 Planning Commission Workshop are available online.

III. APPROVAL OF MINUTES:

Approval of the **November 12, 2019** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

Approval of the **November 18, 2019** Planning Commission Workshop Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

Approval of the **December 6, 2019** Pre-Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Strawson

SECOND: Commissioner Menelas

VOTE: 5-0.

IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present – Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

V. CONTINUANCES:

A. PC19-880FSI, Final Site Plan, Rollins Funeral Home

B. PC19-876FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Rollins Funeral Home

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for a continuance to the January 13, 2020 Planning Commission meeting.

SECOND: Commissioner Strawson

VOTE: 5-0.

VI. MISCELLANEOUS:

C. Approval of the 2020-2021 Planning Commission Deadline Schedules

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved to approve the 2020-2021 Planning Commission Deadline Schedules.

SECOND: Commissioner Menelas

VOTE: 5-0.

D. PC14-127PSU/PC14-332FSI, Preliminary Subdivision Plat/Final Site Plan, Kellerton Knolls Land Bay A

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve the requested six-month extension to the previously approved combined preliminary plat and final site plan for Kellerton Land Bay A.

SECOND: Commissioner Menelas

VOTE: 5-0.

VII. OLD BUSINESS: None

VIII. NEW BUSINESS:

E. PC19-565FSU, Final Subdivision Plat, JRH Properties

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for approval of subdivision PC19-565FSU to resubdivide three existing parcels- Parcel 1, 2, and 3- located along W. South Street, based on compliance with the residential resubdivision criteria established under Section 515(a) of the Land Management Code and in accordance with Section 507 of the Land Management Code, based on the following findings:

1. A common access easement will need to be recorded before plat recordation and the recording reference added to the plat.
2. A right of way encroachment agreement shall be recorded prior to plat recordation.
3. Revise the plat to show the approximate boundary of the Historic Preservation Overlay (HPO) and revise Note #1 accordingly.

SECOND: Commissioner Strawson

VOTE: 5-0.

Commission Burns withdrew his first motion in response to concerns that there were members of the public whom had intended to testify. After resolving confusion regarding the pending application and seeing there was no additional public testimony to be offered, Commission Burns moved for approval as previously stated.

F. PC19-998FSI, Final Site Plan, Fountain Professional Center

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for approval of the modification to Section 607, Table 607-1 to allow the construction of nine parking spaces over the maximum number permitted by the code for a total of 46 parking spaces finding that:

1. The modification will not be contrary to the purpose and intent of the Code because the additional parking spaces would minimize congestion on Thomas Johnson Drive;
2. The modification is consistent with the 2010 Comprehensive Plan in that it is compatible with the character of the surrounding area; and
3. The application includes compensating design or architectural features so as to meet overall objectives of the particular requirement because the Applicant is proposing the planting of additional evergreens to screen the additional parking from view.

SECOND: Commissioner Burns

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Strawson moved for conditional approval of the Final Site Plan, PC19-998FSI, for the expansion of the parking lot to add an additional 11 parking spaces based on compliance with all of the applicable criteria of Articles 4, 5, 6, 7, 8, and 12 of the LMC and consistency with the 2010 Comprehensive Plan with the following condition:

1. Add the modification and approval date to the plan.

SECOND: Commissioner Burns

VOTE: 5-0.

G. PC19-1151FSCB, Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, Fountain Professional Center

PLANNING COMMISSION ACTION:

MOTION: Commissioner Menelas moved for approval of the Combined Forest Stand Delineation and Preliminary Forest Conservation Plan, PC19-1 151FSCB, based on compliance with all the applicable criteria of Section 721 of the LMC and consistency with the 2010 Comprehensive Plan with the following conditions:

1. Add that case number PC19-1151FSCB to the title block.

SECOND: Commissioner Strawson

VOTE: 5-0.

H. PC19-881PSU/FSI Combined Preliminary Plat and Final Site Plan, Northgate Sheetz

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns approval of the modification from Section 605(g) Table 605-6 of the LMC, that requires 10% of a proposed parking lot in the M1 zone to be landscaped, reducing it by 4% to provide 6% interior landscaping within the parking lot finding that:

1. The modification will not be contrary to the purpose and intent of the Code by providing landscaping to the maximum possible in relation to the use;
2. The modification is consistent with the Comprehensive Plan Community Character and Design Element by providing landscaping in keeping with the character of the site; and
3. The application includes compensating design or architectural features, so as to meet the overall objectives of the particular requirement with additional plantings along the border of the parking area.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for approval of the modification of Section 606(b)(2) that requires lots to front on a public street or access finding that:

1. The property is subject to unusual conditions that make it impracticable or undesirable to insist upon strict adherence due to the realignment of Thomas Johnson Drive away from the property line;
2. The modification does not conflict with the general purpose and intent of the regulation subject to the modification in that a private drive provides and supporting easement provide access from the public right-of-way, Thomas Johnson Drive; and
3. The modification does not conflict with any provision of the Comprehensive Plan or with the general intent of these regulations to permit the M1 use with access being provided.

SECOND: Commissioner Menelas

VOTE: 5-0.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved for approval of the combined preliminary plat and final site plan (PC19-881PSU/FSI) for the Northgate Sheetz, in compliance with all of the applicable criteria of Articles 4, 5, 6, 7, 8 and 12 of the LMC, conformance with any area or master plan approved for the subject property and the 2010 Comprehensive Plan, as well as the adequacy of facilities and services, with the following conditions to be met:

1. The improvement plans for Lot 10R-B must be revised and approved by Engineering Department to adjust the parking spaces and drive aisle as shown on the subject plan.
2. Provide the Agent Authorization form from the owner of Lot 10R-B and written confirmation on acceptance of the changes to Lot 10R-B.
3. Correct APFO Note 15 to provide the APFO certificate approval dates.
4. Change title of plan to Northgate Lots 10R-AA and 10R-C.
5. Replace the Royal Star Magnolia trees with taller and larger canopy trees.

SECOND: Commissioner Menelas

VOTE: 5-0.

I. PC19-659MU, Master Plan, Monocacy Center

PLANNING COMMISSION ACTION:

This is the first of two required public hearings.

Meeting approximately adjourned at 7:00 pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant